



Rep. John Aguilera explains Indiana's new

Booster Seat Law

According to the National Transportation Safety Board, highway crashes are the leading cause of death for children ages four to seven. As a result, the Indiana General Assembly has enacted House Bill 1098 which will protect kids in that age group by requiring that they be restrained in a child restraint system, or "booster seat," while riding in a motor vehicle.

This issue has been debated a great deal over the past several years, and the terms of its final passage into law were changed significantly from previous proposals. The law will not go into effect until **July 1, 2005**, but in preparation for that, this postcard is intended to provide clear, current, and helpful information about the version of the bill that was passed and signed into law.



Indiana's Booster Seat Law:

Who does this booster seat law apply to?

Children up to age eight must be in a child restraint system, or booster seat, unless it is reasonably determined that the child won't fit into a system. Generally, a child's buttocks should fit against the back of the seat, the knees should bend over the front of the seat, the lap portion of the belt should cross the lap (not the abdomen) and the shoulder strap should cross at the chest (not along the neck).

What happens to parents who ignore the law?

If a person is found in violation of this law, a \$25 fine results which will be deposited into the Child Restraint System Fund to help purchase child restraint systems for families who need them.

In cases where violations are issued for not using an appropriate child restraint system or booster seat, the driver need only show possession of an appropriate system and all fines will be dropped. Violations of this law do not count against a habitual violator status by the Bureau of Motor Vehicles and will not result in any points against a violator's license.

What else was included in this legislation?

Children ages eight to sixteen must use a regular seat belt at all times, no matter where in the vehicle they are sitting. (Current law in general does not require seat belt usage in the back seat of a vehicle, except for children. Before HB 1098, only children up to age 12 had to wear seat belts regardless of their location in the car. This bill extended that requirement to 13, 14, 15 and 16 year-olds.)

Questions and answers to commonly voiced concerns:

Q: Why don't we just educate people about using booster seats? Do we really need a law?

A: Education of the public plays an important role in making parents aware of the importance of using booster seats, but studies have shown that **education alone is not enough to change public behavior**. A 2001 study conducted by Daimler Chrysler showed that 9 of 10 parents believe adherence to their state's laws regarding child restraints adequately protects their children. Simply put, people tend to trust the public safety requirements that are enacted into law as being sufficient protection for their kids.



Representative Aguilera (far right) discusses legislation with Representatives Dan Stevenson and Bob Kuzman on the House floor.

Q: Critics of this law claim that booster seats don't make much of a difference in child fatalities. Is this true?

A: Using booster seats not only saves the lives of four to seven year olds, but it also prevents serious injuries that can damage internal organs and cause head and spinal injuries. While not fatal, these injuries can severely impair a child's long-term quality of life. Studies have shown that appropriate child safety restraints can reduce the need for hospitalization of children in motor vehicle crashes by 69 per cent.

Q: How will low-income families and single moms afford these seats for older children?

A: Most communities have hospitals, pediatrician offices, child restraint clinics and car dealerships that help families obtain proper child restraints. Booster seat styles vary, with prices ranging from \$20 to over \$100, depending on the manufacturer and type of seat.

Q: How many states have booster seat laws?

A: Twenty-two states and the District of Columbia currently have booster seat laws.

Q: How will the police enforce this new law?

A: Law enforcement officials will continue to receive training on how to identify properly fitting restraints. Drivers who transport children under eight without the use of a booster seat will be ticketed and given a \$25 fine, but if that person goes to court with the ticket and shows possession of a booster seat, the fine will be dropped.

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